IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 258 of 1998

in

SPECIAL CIVIL APPLICATIONNo 182 of 1998

For Approval and Signature:

HON'BLE MISS JUSTICE R.M.DOSHIT
and
HON'BLE MR.JUSTICE S.R.BRAHMBHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

GUJARAT WATER SUPPLY AND SEWERAGE BOARD

Versus

D V BALIM

Appearance:

1. LETTERS PATENT APPEAL No. 258 of 1998

MR HS MUNSHAW for Appellant No.

MR TR MISHRA for Respondent No. 1

CORAM : HON'BLE MISS JUSTICE R.M.DOSHIT
and

HON'BLE MR.JUSTICE S.R.BRAHMBHATT

Date of decision: 13/01/2005

ORAL JUDGEMENT

(Per : HON'BLE MISS JUSTICE R.M.DOSHIT)

1. The Appellant- Gujarat Water Supply And Sewerage Board challenges the order dated 10th February, 1998 made by the learned Single Judge in Special Civil Application No. 182 of 1998. In the said writ petition the appellant had challenged the judgment and award of the Labour Court, Surendranagar dated 22nd April, 1997 passed in Recovery Application No. 103 of 1994.

2. The said writ petition was preferred essentially under Article 227 of the Constitution invoking power of Superintendence conferred upon the High Court. The appeal under clause-15 of the Letters Patent would not lie against the impugned order.

3. The Appeal is accordingly dismissed. There shall be no order as to costs.

DT: 13-1-2005 (MS. R.M. DOSHIT, J)

(S.R. BRAHMBHATT, J)

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